

Congress of the United States
Washington, DC 20515

April 2008

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
H-107, The Capitol
Washington, DC 20515

Dear Madame Speaker and Mr. Leader,

We respectfully request that you bring to the House floor, within the next few months of 2008, legislation increasing temporary, high-skilled, legal immigration to the United States.

In the past, the issue of temporary, high-skilled, legal immigration has been linked politically and legislatively to the issue of *illegal* immigration. We believe this linkage to be unfortunate at best and urge you to decouple the two issues by moving temporary, high-skilled, legal immigration reform legislation to the floor in short order.

Every year, American businesses tell us how they are unable to retain the qualified people that they want to retain because of the artificially low H-1B visas caps and related regulations that do not reflect market realities. This situation is ironic, since most of these unemployable people were educated in the United States. As a country, we are effectively handing these highly-educated, extremely desirable individuals a diploma and a plane ticket. The message we are sending is: "You can learn here, but you have to work in another country."

According to an annual survey by the National Opinion Research Center at the University of Chicago, foreign-born students holding temporary visas received 33% of all research doctorates awarded by U.S. universities in 2006—up from 25% in 2001. Foreign students comprised 44% of science and engineering doctorates in 2006. Yet in the last five years, the 65,000 H-1B visa quota has been exhausted nearly as soon as the applications became available in April of each year, leaving tens of thousands of well-educated, skilled professionals with no choice but to work in another country. American businesses have responded by hiring other people they believe are less qualified or by placing the migrants off-shore so that they can retain the people they really want.

Either way, America loses.

For example, in 2007, Microsoft opened a facility in Vancouver, British Columbia, *exclusively* to put to work foreign-born employees for whom Microsoft was unable to procure H-1B visas. This was a first for Microsoft, since it had always done its product development in the United States. The Microsoft employees in Vancouver are from all around the world and would otherwise be employed in Washington State but for the federal government's inability to provide an adequate number of visas.

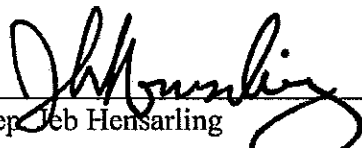
Craig Barrett, Chairman of the Intel Corporation, which has about 2,000 employees with H-1B visas, points to an increasing trend of foreign-born professionals—even those who have lived in the United States for years and have graduated from American universities—considering opportunities in competitor nations. “With Congress gridlocked on immigration, it’s clear that the next Silicon Valley will not be in the United States,” wrote Mr. Barrett.

Given this growing problem that hampers the freedoms of our businesses to hire and retain whom they want when they want, we urge you to bring to the House floor legislation that would increase—even if temporarily—the flow of high-skilled, legal immigrants into this country.


An example of such legislation is H.R. 1930, the Securing Knowledge, Innovation, and Leadership Act of 2007 (SKIL Act), which would increase the H-1B visa cap from 65,000 to 115,000 and provide for a 20% increase in the cap for each year that the previous year’s quota is reached. H.R. 1930 would also make several needed reforms to the program, such as exempting from the annual H-1B visa cap an immigrant who has earned a master’s or higher degree from an accredited U.S. university or has been awarded a medical specialty certification based on post-doctoral training and experience in the United States.

America has the ability to attract and keep the best talent in the world for our companies—but only if we stop turning away so many qualified professionals at the door. Thank you for your consideration, and we look forward to your response.

Most Sincerely,



Rep. Jeb Hensarling


Rep. John Shadegg

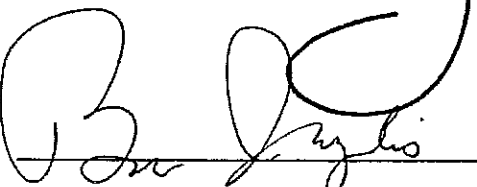



Mary Fallin




Brian P. Babin




Ben Ray Lujan

Tim Long
Nichelle Bachmann
MN-6

Doug Lamborn CO-5

Jim Pitts

Jim Campbell CA-48

Art Flab

Shirley Pence

Michael T. McCarl

Wally Hergen

John Hoeber

W. Todd Alvin

Frank Starks

Sam Walker FL-15

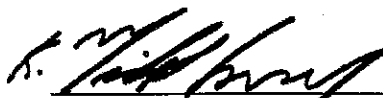
John R. Kuhn NY-29

Pete Sessions

Phil Withers

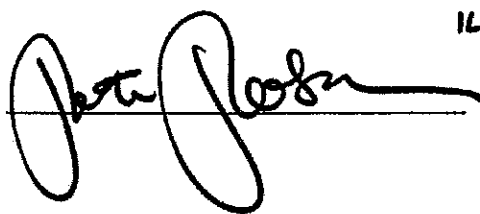
Rich Brown

Mark Smucker

 TR-11

Bill Gali

Tom Feeney

 IL-6

Cc: Rep. John Conyers, Chairman, House Judiciary Committee
Rep. Lamar Smith, Ranking Member, House Judiciary Committee
Republican Leader John Boehner
Republican Whip Roy Blunt